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Client/Matter: 009270-0284004

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A ~~service providing~~ method for providing services to a first portable electronic device holder via a terminal device that handles the portable electronic device, based on the first portable electronic device having a memory storing application data relative to the service provision and pre-storing individual data of a holder by a prescribed organization, the ~~service providing~~ method comprising:

checking justifiability of the first portable electronic device based on the data stored in the first portable electronic device when the directive data for the application downloading is received from the terminal device;

demanding a setting of a portable electronic device to download the application data when the first portable electronic device is confirmed to be justifiable;

reading out application data desired by a holder from the memory when receiving data showing the completion of setting the first portable electronic device or a second portable electronic device differing from the first portable electronic device as a portable electronic device in which an application is downloaded; and

transmitting the read application data to the terminal device by directing download of the application to the portable electronic device that is set as described above,

wherein the reading includes judging whether the set portable electronic device is the first portable electronic device or a the second portable electronic device differing from the first portable electronic device when a data showing the setting completion of the portable electronic device to which an application is downloaded is received,

wherein the reading includes creating data relative to the individual data stored in the first portable electronic device and directing to store this relative data in the second portable electronic device when the set portable electronic device is judged to be the second portable electronic device in said judging; and

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wherein, when the set portable electronic device is judged to be the first portable electronic device in said judging or when the data showing the completion of storage of relative data in the second portable electronic device is received, reading out application data desired by a holder from the memory.

2. (Currently Amended) The ~~service providing~~ method according to claim 1, wherein the transmitting includes:

transmitting the read out application data in an unusable state; and

changing the application downloaded in the portable electronic device from the unusable state to a usable state when the data showing the normal completion of the download is received after transmitting the application data.

3. (Currently Amended) The ~~service providing~~ method according to claim 1, further comprising:

checking whether it is possible to download an application data desired by a holder relative to a memory capacity of the set first or second portable electronic device when the data showing the completion of the setting of the first portable electronic device or a second portable electronic device differing from the first portable electronic device is received as a portable electronic device to which the application is downloaded;

demanding a setting of another portable electronic device for downloading an application data when the download is judged being not possible as a result of the above capacity checking; and

reading the application data and transmitting the read application when the download is judged to be possible.

4. (Cancelled)

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5. (Currently Amended) The ~~service providing~~ method according to claim 1, further comprising:

demanding the provision of data including at least individual data stored in the portable electronic device when the provision of service using the portable electronic device is directed by the terminal device;

checking whether a user has the right to receive the services based on the data stored in the portable electronic device when the data is received;

providing service data desired by a holder when the holder is judged to have the right to receive the services as a result of the above checking; and

informing the terminal device to execute the download of an application required for receiving the service when the holder is judged to have no right to receive the services as a result of the above checking.

6. (Currently Amended) The ~~service providing~~ method according to claim 5, further comprising:

presenting desired services to the member in a first form to provide service data at a first price indefinitely and a second form to provide service data at prices lower than the first price for a limited period; and

directing the download of service data to the portable electronic device when the first form is selected when the service data providing forms are presented and directing the download of service data and data relative to the using period to the portable electronic device when the second form is selected.

7. (Currently Amended) A ~~service providing~~ system for providing services to a holder of a first portable electronic device via a terminal device handling the portable electronic device using the first portable electronic device pre-storing at least individual data of the holder by a prescribed organization, comprising:

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means for storing application data relative to the provision of services;

means for receiving the direction for the application downloading from the terminal device and various data transmitted from the holder;

justifiability check means for checking justifiability of the first portable electronic device based on the data stored in the first portable electronic device received by the receiving means when the download direction is received by the receiving means;

setting demand means for demanding the setting of a portable electronic device to download application data when the first electronic device is confirmed justifiable by the justifiability check means;

means for reading application data desired by the holder from the storing means when data showing the completion of the setting of the first portable electronic device or the second electronic device differing from the first electronic device is received by the receiving means as a portable electronic device for downloading applications; and

means for transmitting the application data read by the reading means by directing the download of the application for the set portable electronic device to the terminal device,

wherein the means for reading application data includes means for judging whether the set portable electronic device is the first portable electronic device or a the second portable electronic device differing from the first electronic device when the data showing the completion of the setting of a portable electronic device to download application is received by the receiving means,

wherein the means for reading application data includes means for creating information relative to the individual data stored in the first portable electronic device and directing storage of this relative data in the second portable device is judged by the judging means as the second portable electronic device, and

wherein the reading of an application desired by a holder from the memory is executed when the set portable electronic device is judged by the judging means to be the first portable electronic device or when the data showing the completion of the storage of relative data in the second portable electronic device is received by the receiving means.

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8. (Currently Amended) The ~~service providing~~ system according to claim 7, wherein the transmitting means includes:

means for transmitting the application data read by the reading means in an unusable state; and

means for changing the application downloaded in the portable electronic device from the unusable state to a usable state when the data showing the normal completion of the download is received by the receiving means after transmitting the application data by the transmitting means.

9. (Currently Amended) The ~~service providing~~ system according to claim 7, further comprising:

capacity checking means for checking a storage capacity of the set first or second portable electronic device to determine whether application data desired by a holder can be downloaded when the data showing the completion of setting of the first portable electronic device or a second electronic device differing from the first electronic device is received by the receiving means as a portable electronic device to download the application;

wherein the application data is read by the reading means when it is judged by the capacity checking means that the application can be downloaded, the transmission of the application by the transmitting means is executed and when the download is judged not feasible by the capacity checking means, another portable electronic device is set by the setting demand means.

10. (Cancelled)

11. (Currently Amended) The ~~service providing~~ system according to claim 7, further comprising:

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provision demanding means for demanding provision of data including at least individual data stored in the portable electronic device when the provision of services using the portable electronic device is directed by the terminal device;

holder checking means for checking whether a holder of the portable electronic device has the right to receive the service based on the data stored in the portable electronic device when the data stored in the portable electronic device is received in response to the demand by the provision demanding means;

means for providing service data desired by the holder of the portable electronic device when the holder is judged to have the right to receive services by the holder checking means; and

means for advising the holder of the portable electronic device to download an application required for receiving the service when the holder is judged to have no right to receive the services checked by the checking means.

12. (Currently Amended) The ~~service providing~~ system according to claim 11, wherein the service providing means includes:

means for presenting desired services in a first form to provide service data at a first price indefinitely and a second form to provide service data at prices lower than the first price for a limited period in connection with the provision of service data desired by the holder; and

means for directing the download of service data to the portable electronic device when the first form is selected when the service data providing forms are presented by the presenting means and directing the download of service data and data relative to the using period to the portable electronic device when the second form is selected.

13. (Currently Amended) A ~~service providing~~ method for providing services to a holder of a portable electronic device via a terminal device that handles the portable electronic device based on the portable electronic device having a memory storing application

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data relative to provision of services and pre-storing at least individual data of the holder by a prescribed organization, comprising:

checking justifiability of the portable electronic device based on the data stored in the portable electronic device when the download direction is received from the terminal device;

judging whether the holder has the right to vote from the data stored in the portable electronic device when the portable electronic device is confirmed to be justifiable;

reading the application data relative to the vote from the memory when the holder is judged to have the voting right;

directing the terminal device to download the application to the portable electronic device and transmitting the read application data relative to the vote; and

accepting the accessed data relative to the vote using the portable electronic device with the application relative to the vote downloaded.

14. (Currently Amended) The ~~service providing~~ method according to claim 13, further comprising:

judging whether a date or time data when the download of application is directed is within ~~the~~ a pre-set period for downloading the application when the direction for downloading the application is received from the terminal device;

wherein said checking is executed when it is judged that the application can be downloaded in the period.

15. (Currently Amended) A ~~service providing~~ method according to claim 13, wherein the reading includes:

demanding a setting of a portable electronic device to which the application data relative to the vote is downloaded when the holder is judged to have the voting right;

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judging whether the set portable set electronic device is the first portable electronic device or the second portable electronic device differing from the first portable electronic device when the information showing the setting completion of the portable electronic device to which the application is downloaded; and

creating data relative to the individual data stored in the first portable electronic device, transmitting this relative data and directing to store it in the second portable electronic device when the set portable electronic device is judged as being the second portable electronic device as a result of the judgment;

wherein the application data relative to the vote is read from the memory when the set portable electronic device is judged as being the first portable electronic device as a result of the judging step or when the information of the completion of storage of the relative data in the second portable electronic device is received.

16. (Currently Amended) The ~~service providing~~ method according to claim 13, wherein the accepting includes:

checking justifiability of the portable electronic device based on the data stored in the portable electronic device and checking whether the application relative to the vote is downloaded when the voting directive data by the holder is received;

checking justifiability of the holder based on the code data of the holder when the first portable electronic device is judged as being justifiable and it is confirmed that the application is downloaded in the checking step; and

accepting the data relative to the vote received by the receiving means when the holder is confirmed to be justifiable by the checking step.

17. (Currently Amended) The ~~service providing~~ method according to claim 13, further comprising:

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directing an invalidation of the application relative to the vote downloaded in the portable electronic device by changing it to an unusable state when the acceptance of the data relative to the vote is completed in the accepting.

18. (Currently Amended) A ~~service-providing~~ system for providing services to a holder of a portable electronic device via a terminal device that handles the portable electronic device using the portable electronic device pre-storing at least the individual data of the holder by a prescribed organization, comprising:

means for storing application data relative to a vote to be provided;

means for receiving a directive data of the downloading of the application relative to the vote and the data stored in the portable electronic device by the terminal device;

means for checking justifiability of the portable electronic device based on the data stored in the portable electronic device received by the receiving means when the directive data for the download is received by the receiving means;

means for judging whether the holder of the portable electronic device has the right to vote from the data stored in the portable electronic device when the portable electronic device is confirmed to be justifiable by the checking means;

means for reading application data relative to the vote from the memory when the holder is judged to have the voting right by the voting right judging means;

means for directing the terminal device to download the application to the portable electronic device and transmitting the application data relative to the vote that is read by the reading means; and

means for accepting the data relative to the vote that is accessed using the portable electronic device to which the application relative to the vote is downloaded.

19. (Currently Amended) The ~~service-providing~~ system according to claim 18, wherein the checking means includes:

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means for judging whether the directed downloading is within a pre-set downloading period is judged from the date or time information directing the download when the direction is received by the receiving means; and

means for checking justifiability of the portable electronic device based on the data stored in the portable electronic device received by the receiving means when the directed downloading is judged by the period judging means for judging whether the directed downloading is within a pre-set downloading period as being within the period during which the download can be made.

20. (Currently Amended) The ~~service providing~~ system according to claim 18, wherein the reading means includes:

means for demanding the setting of a portable electronic device to which the application data is downloaded when the holder of the portable electronic device is judged to have the voting right by the vote right judging means;

means for judging whether the set portable electronic device is the first portable electronic device or the second portable electronic device differing from the first electronic device when the information showing the completion of setting of the portable electronic device to which an application is downloaded is received by the receiving means; and

means for creating data relative to the individual data stored in the first portable electronic device, transmitting the created relative data and directing to store the relative data in the second portable electronic device;

wherein when the set portable electronic device is judged to be the first portable electronic device by the judging means or when the information showing the completion of the storage of relative data in the second portable electronic device is received by the receiving means, the application data desired by the holder is read from the storing means.

21. (Currently Amended) The ~~service providing~~ system according to claim 18, wherein the accepting means includes:

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first checking means for checking justifiability of the portable electronic device based on the data received by the receiving means and stored in the portable electronic device when the vote directive data is received by the receiving means;

second checking means for checking whether the application relative to the voting is downloaded based on the data received by the receiving means and stored in the portable electronic device when the voting directive data is received by the receiving means; and

third checking means for checking justifiability of the holder based on the code data of the holder received by the receiving means when the voting directive data is received by the receiving means;

wherein when the first checking means confirms that the first portable electronic device is confirmed to be justifiable, the second checking means confirms that the application is downloaded, and the third checking means confirms that the holder is justifiable, the data relative to the vote received by the receiving means is accepted.

22. (Currently Amended) The ~~service providing~~ system according to claim 18, further comprising:

means for directing the invalidation of the application relative to the voting that is downloaded on the portable electronic device by changing the application to the unusable state when the accepting of the data relative to the voting is completed by the accepting means.